



NOVARTIS

Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080

In re Application of:	:	
HOHNEKER, John, Arthur, et al.	:	
PCT No.: PCT/EP03/05988	:	DECISION ON RENEWED
U.S. Application No: 10/517,074	:	PETITION UNDER
International Filing Date: 06 June 2003	:	37 CFR 1.47(a)
Priority Date: 10 June 2002	:	
Attorney's Docket No.: ON/4-32515A	:	
For: COMBINATIONS COMPRISING	:	
EPOTHILONES AND PHARMACEUTICAL	:	
USES THEREOF	:	

This decision is issued in response to the submission entitled "Decision On Petition Under 37 CFR 1.47(b) Is Moot" filed 11 July 2005, treated herein as a renewed petition under 37 CFR 1.47(a). No additional petition fee is required.

BACKGROUND

The procedural background for this petition is set forth in detail in the decision mailed by this Office on 13 May 2005. That decision dismissed without prejudice the petition under 37 CFR 1.47(a) filed herein; such petition had sought acceptance of this application without the signature of inventor John David ROTHERMEL.

On 11 July 2005, applicant filed a submission entitled "Decision On Petition Under 37 CFR 1.47(b) Is Moot," treated herein as a renewed petition under 37 CFR 1.47(a). This submission included a declaration executed by the previously non-signing inventor.

DISCUSSION

As noted above, the renewed petition was accompanied by a copy of the declaration executed by previously nonsigning inventor John David ROTHERMEL, the subject of the earlier petition under 37 CFR 1.47(a). Accordingly, applicant's petition under 37 CFR 1.47(a) is now moot. Applicant has now submitted a fully executed declaration in compliance with 37 CFR 1.497.

CONCLUSION

Applicant's petition under 37 CFR 1.47(a) is **MOOT**.

The executed declaration filed 11 July 2005, in combination with the declarations filed 19 April 2005 (executed by the other inventors herein), satisfies the requirements of 37 CFR 1.497.

This application is being forwarded to the National Stage Processing Branch of the International Division for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) date is 11 July 2005.

A handwritten signature in dark ink, appearing to read 'RMR' followed by a stylized flourish.

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